

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Kha H. NGUYEN

Application No. 10/814,729

Filed: March 30, 2004

For: **SYSTEM AND METHOD FOR
EGRESS PACKET MARKING**

Art Unit: 2416

Confirmation No.: 8796

Examiner: Xavier S. Wong

Atty. Docket: 02453.0029.NPUS00

PETITION UNDER 37 C.F.R. § 1.313(c)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant paid the Issue Fee on July 17, 2009. Applicant hereby petitions to withdraw the application from issue under 37 CFR § 1.313 (c)(2), for consideration of the Request for Continued Examination submitted herewith. The fee of \$130.00, which is set forth in 1.17(h), is enclosed herewith.

The purpose of this petition is to correct an error in the allowed claims that is not clearly correctable through any other mechanism, including an amendment under 37 CFR § 1.312, or a Certificate of Correction due to applicant's mistake under 37 C.F.R. § 1.323. This error could improperly change the scope of the claims, and therefore impair the scope of the right to exclude represented by the patent. Such error therefore satisfies the requirement of MPEP § 1308(I)(B) that a petitioner identify a "specific and significant defect in the allowed application."

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
to our Deposit Account No. 08-3038 referencing docket number 02453.0029.NPUS00.

Date: August 4, 2009

Respectfully submitted,

/Robert C. Laurenson/

Robert C. Laurenson

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